

**CHANNEL ISLANDS NATIONAL MARINE SANCTUARY
SANCTUARY ADVISORY COUNCIL**

ADOPTED MEETING MINUTES

**Tuesday October 5, 1999
8:30 a.m. - 12:30 p.m.**

**Chase Palm Park Center
Santa Barbara, CA**

In Attendance:

GOVERNMENT SEATS

NATIONAL MARINE FISHERIES SERVICE

Alternate Korie Johnson

NATIONAL PARK SERVICE

Alternate Gary Davis

US COAST GUARD

Member Yuri Graves

Alternate Mike Hamerski

MINERALS MANAGEMENT SERVICE

Member Drew Mayerson

US NAVY

Member Alex Stone

Alternate Ron Dow

DEPARTMENT OF FISH AND GAME

Member Patty Wolf

Alternate Lt. Jorge Gross

CALIFORNIA RESOURCES AGENCY

Member Brian Baird

COUNTY OF SANTA BARBARA

Member Dianne Meester, Vice-Chair

Alternate Jackie Campbell

COUNTY OF VENTURA

Member Lyn Krieger

Alternate Jack Peveler

COMMUNITY SEATS

TOURISM

Alternate Michael Finucan

RECREATION

Member Jim Brye

BUSINESS

Member Rudy Scott

FISHING

Member Bruce Steele

EDUCATION

Member Dave Long

CONSERVATION

Member Linda Krop

AT-LARGE

Member Craig Fusaro, Ph.D., Chair

Alternate Mick Kronman

AT-LARGE

Alternate Jeff Aurbach

NON-VOTING SEATS

**CHANNEL ISLANDS NATIONAL MARINE
SANCTUARY**

Alternate LCDR Matthew Pickett

Not attending:

TOURISM

Member (vacant seat)

BUSINESS

Alternate Dr. Dan Secord

RECREATION

Alternate Tony Gibbs

FISHING

Alternate Chris Williams

EDUCATION

Alternate Larry Manson

RESEARCH

Member Leal Mertes, Ph.D.

Alternate Matthew Cahn

CONSERVATION

Alternate Peter Howorth

AT-LARGE

Member Jean Michel Couteau

Alternate Barry Schuyler

AT-LARGE

Member Marla Daily

NATIONAL MARINE FISHERIES SERVICE

Member Mark Helvey

NATIONAL PARK SERVICE

Member Jim Shevock

MINERALS MANAGEMENT SERVICE

Alternate Fred Piltz

CALIFORNIA RESOURCES AGENCY

Alternate Melissa Miller-Henson

CALIFORNIA COASTAL COMMISSION

Member Gary Timm

Alternate Jack Ainsworth

NON-VOTING SEATS

**CHANNEL ISLANDS NATIONAL MARINE
SANCTUARY**

LCDR Edward Cassano, Manager

**MONTEREY BAY NATIONAL MARINE
SANCTUARY**

William Douros, Superintendent

**GULF OF THE FARALLONES/CORDELL
BANKS NATIONAL MARINE SANCTUARIES**

Ed Ueber, Manager

1. Administrative Items

A. Call to order. The meeting was called to order by Vice Chair Dianne Meester.

B. Special Introductions. **Alex Stone** was introduced as the new Navy seat SAC member. Mr. Stone is with Naval Air Warfare Center Weapons Division, Point Mugu. The Center operates the Sea Test Range, which encompasses some areas within the Sanctuary. They schedule and control all of the operations that take place on the Sea Test Range.

Mr. Stone is an Environmental Coordinator for the Sea Test Range. He reviews new projects for environmental requirements and coordination. He is also the Program Manager for an EIS the Navy is producing concerning all of the activities taking place on the Sea Test Range.

Korie Johnson. Ms. Korie Johnson was introduced (later) as the Council's new alternate from the National Marine Fisheries Service (NMFS). Korie moved from Northern California to Los Angeles a year ago. Her undergraduate degree is from UCSB in Aquatic Biology, and she holds

a Masters degree in Marine Science from the Moss Landing Marine Lab. Her Masters degree research was related to rockfish and flatfish. At Moss Landing, Korie worked with Sea Grant marine advisors and participated in the Education Panel, Conservation Working Group and Research Activities Panels of the Monterey Bay National Marine Sanctuary Advisory Council. At NMFS, Korie's work is focused on coastal habitat issues and endangered species Steelehead issues.

C. Letterhead Complete. Two copies of the completed SAC letterhead were passed around. The changes requested at the last SAC meeting had been made (picture of kelp added, a few name issues were corrected). Thank you notes were sent to the three high school students that helped with the original design of the letterhead, as well as free passes for a trip to Anacortes Island on Island Packers (courtesy of Holly Lohuis) and caps from the Sanctuary.

D. July 22 Meeting Minutes. The July 22nd draft meeting minutes were handed out. Council members were asked to please review the minutes and send any comments to Mike Murray, Advisory Council Coordinator. Updated minutes will then be distributed back to the SAC, and can be voted on for approval at the next meeting.

E. Election of Secretary.

Vice Chair Dianne Meester reported that because Holly Lohuis had left the Council, there is a need for the SAC to elect a new Secretary.

Mike Murray described the duties of the Secretary by reading from the SAC Charter: "the Council Secretary assists Sanctuary staff in maintaining a record of minutes for each regularly scheduled meeting of the Council and ensures that they are accurate and available to the public, writes correspondence directed by the Council, helps to prepare an annual report on Council Activities, and performs other administrative duties as directed by the Chair or Vice-Chair." Mike also explained that Sanctuary staff have been performing most of these duties, and expect to continue to do so, but would appreciate help in these areas from the Secretary.

Patty Wolf was nominated, but declined.

Dave Long nominated Lyn Krieger.

As the sole nominee, **Lyn Krieger was approved by acclaim as Secretary of the Sanctuary Advisory Council.**

F. Open Tourism Seat. Vice Chair Dianne Meester reviewed the process for replacing the SAC's Tourism seat:

1) Advertisement of the open seat. Last month a press release went out to regional newspapers and media, ads were placed in Santa Barbara and Ventura newspapers, e-mails went out to the SAC and a mail-out went to 170-name SAC constituency mailing list. Mike Murray added that Seventeen inquiries were made, with 10 applications received.

- 2) Per the SAC Charter, the SAC will need to form a subcommittee to serve as a preliminary screening panel. This group will identify the top three candidates.
- 3) Sanctuary Manager Ed Cassano will select a member and an alternate, and obtain approval for the selection from the Director of NOAA's Office of Ocean and Coastal Resource Management.
- 4) The new member and alternate should be selected in time for them to attend the Nov. 18 SAC meeting.

The Vice Chair then asked for volunteers to serve on a preliminary review subcommittee.

The resulting preliminary review panel created consists of: Dave Long, Lyn Krieger, Bruce Steele and Linda Krop. Dave Long will Chair the subcommittee. The subcommittee members will make arrangements to review the ten application packets and report back to the Sanctuary prior to the November 18th meeting.

G. SAC E-mail List-Serv status - open or closed membership

Co-Chair Dianne Meester reported that the Sanctuary recently received requests from non SAC members who wished to be added to the SAC's e-mail list serve. Ed Cassano, Sean Hastings and Craig Fusaro had different recollections of whether or not a "members-only" or "open-to-all" policy applied or had been previously decided. Clarification on this issue was not found in past meeting minutes. The SAC, then, should provide clarification.

Related to this, the Council was also informed by Co-Chair Dianne Meester that the Sanctuary has created a public e-mail list-serve that anyone can subscribe to, and that Mike Murray will be using to announce Council meetings or other events. Instructions on how to subscribe were included in the meeting packet.

The topic was then opened for Council discussion.

Linda Krop expressed that, as long as there were not any legal requirements or federal guidelines requiring that the list-serve be kept open to all, her preference would be to keep it limited to the SAC. Mike Murray responded that he was not aware of any of any laws or other stipulations that require that e-mail channels be kept open to all. He added, however, that it is clear that SAC decisions are not to be made over e-mail, but must be done in public meetings.

Matt Pickett expressed concern that ideas raised on the list serv may be taken out of context by others, and possibly used as a quote.

Mick Kronman offered that he supports the idea of keeping the list-serve open, noting that is consistent with the spirit of the purpose of the SAC and the mission of the Sanctuary. He does not believe the list serv will become flooded with subscribers.

Bruce Steele added that he knows fisherman that have asked to be added to the list. This can help reduce his work load to inform and represent others on Council activities. He would like the list to be open.

Gary Davis commented that anything on e-mail is open, and not ultimately confidential. The list is “de facto” open now.

Bruce Steele made a motion for a vote on the matter. Mick Kronman seconded the motion.

A voice vote resulted in 16 in favor with none opposed. Therefore, the SAC e-mail list-serv will be made available to non-members.

2. Committee Reports

A. Education Working Group/MERA

Dave Long, Education seat member and Chair of the Education Working Group, reported that MERA would like to provide a presentation to the SAC at a future meeting about their organization and accomplishments.

Dave also reported that in June of this year there was a groundbreaking ceremony for the Cabrillo High School Aquarium. Over 200 people turned out. Construction of the Aquarium began in August. Progress can be tracked on the web at: cabrillo-aquarium.org.

B. Research Activities Panel (RAP)

No report given. Matt Cahn, the Council member to chair this group, was not present.

C. Conservation Working Group

Linda Krop, the Council member to chair this group, reported that a planning meeting for the Working Group took place recently, at which it was decided that regular public meetings of the Working Group would take place. The expected meeting schedule is every other month, alternating with SAC meetings. The main purpose of the Conservation Working Group’s meetings would be to provide information to the conservation community about issues at the forefront of the SAC, to get some input and feedback on those issues, and to hear from the community about issues they would like to bring before the SAC. A meeting date has been set for late October [October 27]. At this first meeting, background information will be provided on the Sanctuary, the SAC and Working Groups. A presentation the Management Plan process is also planned. Postcard mailers will be sent out to announce the meeting.

D. Fishing Working Group

Bruce Steele, the Council member to chair this group, reported that meetings were not yet taking place, but that phone calls among some commercial fishermen were being used as an ongoing way to keep abreast of issues and events and keep other fishermen informed.

Chris Miller and Frank Donohue had an organized meeting in Avila Beach, at which there was a lot of interest. There is also a need to draw in southern ports, such as Ventura and Channel Islands.

He expects that much of the work of this group will be conducted with phone calls, at least until the winter when there is more time to conduct meetings.

E. Proposal: Military Working Group

Ron Dow, Navy seat alternate, described a need to bring together the a wide array of military interests for two reasons: 1) the working group can review management plan proposals and look at what the impacts might be for military operations; 2) the group can inform the Council on what military activities are happening in the management plan study area.

Ron acknowledged that there has been some concerns expressed about this group being closed to the public, and how that might be viewed as an opportunity for the group to craft “canned answers” to sway the Council. He stated that this would not be the purpose of the group, but rather, per the SAC Charter, to focus various interests together to be fed back to the Council through a member with one voice.

Discussion and questions followed.

Ron is supportive of the group’s meetings being open to the public, but is not sure how wide membership would be an advantage. He expects some meetings to be held, but perhaps more often the group would communicate via teleconferencing.

Mick Kronman expressed strong support for the Military Working Group proposal. He noted the importance of the Council keeping apprised of military activities, proposals or policies affecting the Sanctuary area, and the benefit such knowledge brings to the Council.

Vice Chair Dianne Meester pointed out that a letter from The Beacon Foundation was received at the Sanctuary on October 4th, and that the letter was part of the meeting handouts. The letter addresses the proposed military working group, raising three specific concerns: 1) the definition of need in the Charter for this type of working group; 2) working group activities should be open and transparent to the public; and 3) membership should be diverse.

Linda Krop recalled that previous SAC discussions about standing working groups (e.g., education, research, conservation) resulted in strong support for the groups being open to the public. She recommended that the military working group and fishing working group maintain a public presence and allow for open discussions with any interested parties.

For clarification, Vice Chair Dianne Meester read the section of the SAC Charter on Working Groups and Subcommittees.

Matt Pickett asked Ron Dow what the particular advantage would there be for the group to be organized as an official Working Group. Ron responded that a formal group would probably be

more likely to get good representation from the various military groups. This might be one case where there is not a distinct advantage to having broad stakeholder representation on the group, because a primary purpose would be for the military stakeholders to be able to speak with one voice back to the Council.

Several members continued the dialogue around whether or not the SAC had previously agreed that Working Groups should have open memberships, public meetings, and public announcements of all meetings.

Ron Dow stated he would not have a problem opening up meetings to the public, but he anticipates that the public's ability to contribute could be limited because of the focused nature and specific jargon, etc. of the military participants.

Yuri Graves expressed full support for the creation of the military working group. He noted the importance of military stakeholders getting together, whether formally or informally, to discuss and reach consensus on Sanctuary issues.

Yuri Graves moved that we vote on creation of a Military Working Group, to operate under the same guidelines as other existing Working Groups. The motion was seconded.

Vice-Chair Dianne Meester called for a vote. The results were 16 in favor of created a Military Working Group, none opposed. A Military Working Group is thus approved for creation.

F. Marine Ecological Reserves Working Group (MERWG)

To be discussed at 10:45 am

3. Public Comment

Steve Shimek of The Otter Project. Steve announced that The Otter Project has a new Santa Barbara area local coordinator, Mary Stack. The Otter Project is very active with the Monterey Bay National Marine Sanctuary Advisory Council, and sits on their Conservation Working Group. They are also active in supporting research, and have funneled \$150,000 to various research institutions. The Otter Project also drafted a letter that received 14 Congressional signatures requesting more funding for the Sanctuary Program. Steve stated that the sea otter issue before the SAC is a much broader and complicated issue that what the Council will hear today. The Otter Project hopes the SAC will support the US Fish and Wildlife Service's ongoing studies and process. The Otter Project also hopes that the SAC will agendize the otter issue at a future meeting to allow for further discussion and for more input and perspectives to be brought forward.

Gordon Cota, Commercial Fisherman from Santa Barbara. Gordon commented on why more fishermen did not attend the recent Public Scoping Meetings for the CINMS management plan revision process. He offered that their jobs do not allow them to be there. He drafted a petition and collected signatures to show that fishermen are interested. He read the petition: "with

respect to the development of the marine reserves or the no-take zones in the Channel Islands and with respect to Channel Islands National Marine Sanctuary's management plan revision in progress, we the undersigned support and endorse the following principles:

- 1) Management of marine fisheries in the state waters shall continue to be the province of the State of California Department of Fish and Game, and the Fish and Game Commission with full collaboration by stakeholders provided for by the Marine Life Management Act of 1998 (Keely Bill) and in federal waters by the National Marine Fisheries Service through the Pacific Fisheries Management Council under the newly reauthorized Magnusen Stevens Fisheries Conservation Act as specified in the reauthorization and designation of the Channel Islands National Marine Sanctuary and as promised to the regional fishing community when the Sanctuary was created.
- 2) The Channel Islands National Marine Sanctuary and its programs shall recognize, acknowledge and incorporate the establishment authority of the State of California and National Marine Fisheries Service in any and all documents pertaining to or in support of an ongoing revision of the management plan."

Gordon commented that this survey, which contains about 300 signatures, indicates that there are a lot of people who can't make it to the meetings but are still interested in and concerned about what's going on at the Channel Islands. The petition was circulated up to Morro Bay and Avila to the north, and as far south as Ventura and Channel Islands Harbors. In Morro Bay, a separate petition was circulated that reads: "We the undersigned do not want nor support any expansion of the Channel Islands National Marine Sanctuary boundaries."

When asked by Dave Long why the fisherman don't come out to the meetings, and if it was a problem of the meeting times conflicting with their schedules, Gordon stated he had no idea.

Mick Kronman asked Gordon if he would like the principles outlined in the first petition agendized and presented to the Advisory Council for acceptance or rejection. Gordon said yes, he would like to see it come before the Council. Gordon noted that the Monterey Bay National Marine Sanctuary Advisory Council had put out a statement to clarify issues like this. He added that the Council might be able to calm some of the fishermen's fears and help them become comfortable with the ongoing marine reserves process if the Council could put out a statement that acknowledges that there are established laws and rules that will be adhered to.

Bruce Steele commented that Gordon's petition seems to get at the issue of who has ultimate authority and responsibility for rules and regulations over fishing. The fishing community has a long term relationship with the California Department of Fish and Game, and feels that they should have the ultimate responsibility for regulation of fisheries. It is not completely clear, in his mind and in the minds of many fishermen, because previous explanations of the marine reserves process suggest a shared responsibility [between the Sanctuary and CDFG]. He would like the SAC to talk about this.

Linda Krop suggested that Gordon's input might best be brought to the Marine Reserves Working Group. She expressed that she would not feel comfortable making a vote on the language of this petition with the Sanctuary's marine reserves and management plan processes still underway.

Matthew Phillip. Matthew introduced himself to the Council as a new resident to the area, and noted that he will be working for the Santa Barbara Channel Keeper program. If there are any questions, please talk to Matthew.

Tom Raftican, President, United Anglers of Southern California and member of the Marine Reserves Working Group. Tom commented that because recreational anglers may be the largest stakeholder group using areas of the Sanctuary, he would like to see that their interests are represented in any SAC group organized on fishing.

4. Manager's Report

The Manager's report was presented by LCDR Matt Pickett, Executive Officer, Channel Islands National Marine Sanctuary. Matt first reported that Sanctuary Manager Edward Cassano sends his apologies for missing the meeting. Ed is participating in an important budget meeting for the National Marine Sanctuary Program's Leadership Team.

A written Manager's Report was handed out at the meeting. Matt touched on the following highlights:

A. Resource Protection/Policy

Salvage of the F/V *Margaret O*

Very little progress to date. The vessel is sunk off the southwest end of Santa Cruz Island. The Insurance adjuster has contracted a salvage company who has been on site for approx. two weeks.

Santa Cruz Island Cable Removal

Navy completed the second phase of the SCARF demobilization; we are waiting for a status report and plan on continuing the consultation with the Navy to seek additional recovery of materials.

B. Research Activities

Kelp Forest Monitoring - several staff members participated in the Channel Islands National Park Service's Kelp Forest Monitoring project. Julie Goodson, Shauna Bingham and Sarah Fangman each went out with the Park staff to assist with this 18-year study.

Coal Oil Point Study - The R/V Ballena was used by UCSB scientists to conduct sonar surveys of the hydrocarbon seeps off Coal Oil Point. This was the second year Dr. Luyendyk and his colleagues have used the Ballena for this work.

Side scan sonar - The R/V Ballena will be used by USGS for two weeks beginning next week to continue with side scan sonar surveys around the CINMS.

C. Education and Outreach

Developed 1998 Annual Report - highlights include dealing with Winter El Nino Storm effects, Stearns Wharf Fire, Bight 98, National Oceans Conference and the formation of the Sanctuary Advisory Council.

Working with Channel Islands Harbor on Advisory panel to provide input on architects and sites for new Channel Islands Harbor Youth and Group Marine Activities Center

Working to complete the new "Outdoors Santa Barbara" visitor center - a cooperative project with Channel Islands National Park, Los Padres National Forest, and Channel Islands National Marine Sanctuary. The new visitors center is expected to open this Fall. It is located on the 4th floor of the Santa Barbara Maritime Museum building

Participated in the Santa Barbara Kayakers Association annual paddle across the Santa Barbara Channel to Santa Cruz Island. The vessel Xantu was used as a support vessel during the 11 hour journey

D. GIS Update

We have begun work on the Public Participation GIS funded through a Goldman grant. Talk to Anne Walton or Ben Waltenberger for more details.

E. Cultural Resources Activities

Robert Schwemmer, Cultural Resources Coordinator, had a paper published in the Society for Historical Archaeology Proceedings. The paper was presented at the 32nd Conference in Salt Lake City, and is titled: *Channel Islands National Marine Sanctuary: Presenting The Past Through Cooperative Interpretation*.

In November, a dive team working from the Ballena and Xantu will be videotaping the remains of the shipwreck Cuba located off Point Bennett, San Miguel Island. The footage will be used in the Santa Barbara Maritime Museum's submersible simulator to allow the public to visit the Sanctuary's resources.

F. NMSA Reauthorization and NMSP Appropriation

Appropriation

At last word, the Senate had suggested an appropriation for the NMSP of \$21 million (including 3 million for capital facilities) while the House had suggested \$16 million. It is possible that all of the remaining Appropriations bills (the NMS program is in Commerce, Justice, State) could be rolled into one, massive bill.

Reauthorization

The Snowe Bill is expected to be considered by committee (Subcommittee on Oceans and Fisheries, a subcommittee of the Senate Committee on Science, Commerce and Transportation) during the first week of October.

G. Management Plan Review Process

Currently, we are engaged in the process of determining the study area for the DEIS. A contract has been let to Mike McGinnis of UCSB to determine ecological linkages in the marine environment between the existing boundaries of the Sanctuary and points within the geographic range between Pt. Mugu and Cambria. Based on Dr. McGinnis' recommendations, the Sanctuary staff, along with our Washington DC management plan team, will determine a "reasonable" study area. The study area will be announced at the November 18 SAC meeting.

Anne Walton then raised the issue of a proposed management plan SAC subcommittee. She stated that we would like to have the blessing of the SAC to be able to start forming a management plan subcommittee at the Santa Cruz Island retreat scheduled for tonight and tomorrow. Matt Pickett clarified that if there is to be a motion and a vote to create a subcommittee, it would need to be done here at the SAC meeting, as there will be no votes or decisions made at the retreat.

Mick Kronman urged that the Council deny this request to form the subcommittee, so that such an action does not give any perception that SAC business is not undertaken in full view of and cooperation with the public.

Craig Fusaro fully endorsed the formation of a SAC subcommittee for the management plan. However, because he does not want any public perception to develop that the SAC operates behind closed doors. He recommends that the SAC not approve formation of the subcommittee at this time. He also noted that participants of the SAC can still do work at the retreat. He mentioned that the SAC will meet again November 18 and can take up the issue at this time.

A motion was made to table the item, and seconded by Gary Davis. By acclaim, all agreed.

5. Marine Ecological Reserves Process

A. Results of MERWG planning meetings

Patty Wolf, Co-Chair of the Marine Ecological Reserves Working Group (MERWG), summarized the activities of the group to date. In August and September, a small group met to work on planning for the MERWG. The focus of these two planning meetings were on bringing together as much background information as possible for the MERWG. The planning group has worked on:

- Clarifying the process
- Identifying decision steps
- Understanding other related processes that are underway
- Groundrules
- Operating details, such as handling funding contributions
- Defining the relationship between the MERWG and the Science Panel
- Facilitation needs
- Developing draft needs statement and mission statement

- Discussed goals, objectives and criteria for marine reserves
- Discussion of Post-Doc position to support the Science Panel
- Meeting with the socio-economic team

A MRWG meeting originally scheduled for September has been postponed until October 21. This allows for better preparation, including giving the SAC a chance to fill the remaining vacant seat on the MERWG, and hiring of a local facilitator.

A large binder of background materials is being developed for MERWG members.

The MERWG meeting schedule for the next two months is:

- October 21
- November 10
- December 9

To address some of the issues raised by Gordon Cota and others during the Public Comment period, Patty briefly described the decision-making flow from the MERWG, to the SAC, to Ed, to the Fish and Game Commission.

Patty suggested that a future SAC meeting agenda item could be to clarify fisheries management authorities. Bruce Steele and Craig Fusaro agreed.

Sean Hastings noted that a Jurisdictions Report is already included in member's SAC binders. The report describes the jurisdictional authority and responsibilities of agencies within the CINMS.

B. Status of facilitator

Sean Hastings described the hiring process for selecting a local facilitator for the MERWG. Three proposals were received, and a set of technical criteria were used to score the applicants. A local facilitator was hired shortly before the September planning meeting of the MERWG.

Patty Wolf announced the MERWG's new local facilitator, Mr. John Jostes of Interactive Planning and Management in Santa Barbara. John introduced himself, noting that he was very pleased to be involved in this process. He noted the significant challenges that lay ahead for the marine reserves process. He also commented that he was optimistic about the process. John discussed briefly his role in working with the group. He also noted that he is accessible and available to any and all SAC members that would like to contact him.

C. Remaining seat on Working Group to be filled

Patty Wolf lead a discussion to consider the four applicants for the MERWG's marina/business open seat. The applicants are:

- * Randy Shortt
- * David Bacon
- * Bob Fletcher

* Charles Farrol

Bob Fletcher was the only applicant in attendance. He was given an opportunity to introduce himself. Bob is President of the Sportfishing Association of California. He described his background and interest in the MERWG.

Lengthy Council discussion followed to consider the all of the applicants.

SAC Chair Craig Fusaro called for a vote. Ballots were distributed to the Council. Upon tally, the votes represented an overwhelming majority in favor of Bob Fletcher.

By majority vote of the Council, Bob Fletcher was appointed to the marina/business seat of the Marine Ecological Reserves Working Group.

D. Marine Reserves Science Panel

Sean Hastings, filling in for Matt Cahn, reported on the Science Panel. The group was convened for an introductory meeting on September 13. At the meeting, there was a lot of discussion about the role of the Science Panel, and questions about interacting with the MERWG. The Science Panel also began to offer the resources that they bring to address the issue of marine reserves. There was a brief discussion on the large volume of marine reserves work being done by the National Center for Ecological Assessment and Synthesis (NCEAS). The Science Panel is now working toward their next meeting, which might be a joint meeting with the MERWG. Full details on the group, including their membership and meeting schedules, is available on the Sanctuary's web site.

Craig Fusaro added that he is very pleased with the level of expertise, the areas of expertise assembled, and with the interest these scientists have shown with this issue. He also noted the importance of being as specific as possible with the questions posed to the Science Panel. The Science Panel is expectant of a set of goals and objectives from the MERWG. All meetings of the Science Panel will be open to the public.

E. Marine Reserves Socio-Economic Study

Mr. Sean Hastings, Policy Program Specialist for the CINMS, provided background in the socio-economic study.

Early in the Marine Reserves process, it was thought that socio-economic data and expertise to assist the MERWG would come from a Socio-Economic Panel. This is how it was originally described and diagramed on the Marine Reserves process flowchart.

A large component of the Sanctuary's Management Plan revision process will be a socio-economic study, to be conducted by two NOAA economists. Another large component of the Management Plan will be the consideration of marine reserves. Mr. Bob Leeworthy and Mr. Peter Wiley, economists with the NOAA National Ocean Service's Special Projects Office, have been assigned to conduct a socio-economic study for the CINMS Management Plan. Their work

will assist the Sanctuary in understanding the socio-economic aspects of the marine reserve issue.

As they always do when they come to a new region, Mr. Leeworthy and Mr. Wiley invited agency economists and other experts in the fields of economics and sociology to form a team to help them gather data that will enable them to do their work. A meeting for this purpose was held on August 19th and included the following participants:

- Bob Leeworthy, NOAA
- Peter Wiley, NOAA
- Cindy Thomspson, National Marine Fisheries Service
- Marija Volkivich, California Dept. of Fish and Game
- Jim Lima, Mineral Management Service
- Sanctuary staff

Agency contacts agreed to supply Bob and Peter with data that will be useful to the study. Bob and Peter will prepare reports and then distribute them back to the contributors, agencies and other experts. This type of peer review is critical to the study. Therefore, consistent with the marine reserve process to date, the socio-economic study process is also open and transparent. There is opportunity for people to provide information, and to analyze their report.

This arrangement is a slight departure from the originally envisioned Socio-Economic “Panel” to support the MERWG.

Chair Craig Fusaro added to the discussion by describing a presentation given Bob and Peter at a recent steering group meeting of for the MERWG. Some of their work on the “Tortugas 2000” ecological reserve process may lend itself to the marine reserve study here.

Mr. Fusaro stated that the marine reserve process could gain from the experience and expertise of these NOAA economists. He also noted that Bob and Peter would not be leading the process, but would work in support of the MERWG, just as the Science Panel does.

Mr. Fusaro also mentioned that, as a caveat, if the economists allow for peer and open public review of their methods and interim work products, with many review stages, then he would not have a problem referring to them as a “team” as opposed to a separate “panel.” With this type of arrangement, the MERWG itself could function as a socio-economic “panel.”

The Chair asked the Council if any members had problems or concerns about there not being an equal panel being formed that is a subset of the SAC.

Bruce Steele commented on the importance of including user groups in a socio-economic study, especially considering that the California Department of Fish and Game’s catch data is in large blocks. To get more specific data, the user groups must be incorporated.

Sean Hastings agreed, and noted that the NOAA economists recognize this. In Florida, Bob and Peter did interview fishermen, and succeeded in getting strong community participation in the study. Bob has similar plans to engage the user group communities here in order collect data at a

finer resolution than is available from agencies. He is also open to any ideas on ways to improve the accuracy of the study.

To close the issue, Chair Craig Fusaro asked the SAC if there were any oppositions to the formation of a socio-economic study team. There were no oppositions expressed.

By consensus the Council accepted that a socio-economic study “team” (not an official sub-group of the SAC) would be organized to support the work of the MERWG.

F. Council approval needed for upcoming MERWG actions

Patty Wolf reported that there is already an immediate need to fill a vacancy on the MERWG because one conservation seat member has left the group (moved out of state). Patty suggested that because the MERWG has only met once, one option to fill this vacant seat would be to proceed in the same manner that the SAC did to appoint the original MERWG members. In this case, because it is a conservation seat that is open, that would mean the conservation member of the SAC would recommend an individual for MERWG appointment.

Additionally, there is also a question of how future MERWG seat vacancies should be filled. Patty offered that once the MERWG is underway, perhaps the MERWG could provide the SAC with a recommendation for a new member. She suggested this approach because the MERWG, once they are underway, would be best positioned to identify the best solutions to a vacant seat. They could refer it back to the SAC for a Council decision, or the SAC could delegate this responsibility to the MERWG.

Craig Fusaro commented that another alternative could be to let a nominations subcommittee of the SAC get involved.

Dianne Meester expressed support for the idea of the MERWG identifying their own replacements, and then bringing it back to the SAC for confirmation.

Craig added that it might be a good idea for newly selected MERWG members to be able to start participating right away as active members while SAC confirmation is awaited.

Linda expressed support for Patty’s suggested approach for the current appointment needed, and for the process suggested for future member replacements.

Gary Davis commented that potential problems of MERWG self selection can be resolved by their recommendations being required to go to the SAC.

For the existing open conservation seat, Linda Krop recommended Michael McGinnis of UCSB’s Ocean and Coastal Policy Center. Craig described some of the work Mike McGinnis has done.

Matt Pickett pointed out that Mike McGinnis is currently under contract with CINMS to do some work to evaluate our management plan study area. Craig Fusaro asked if this would be considered a conflict of interest. There were no replies or concerns expressed.

Linda moved that Mike McGinnis be appointed to the MERWG to hold a conservation seat. Craig Fusaro seconded the motion.

Upon SAC Chair Craig Fusaro calling for a vote, a show of hands resulted in a **unanimous approval for Mike McGinnis's appointment to the Marine Ecological Reserves Working Group.**

Regarding the suggestion made for replacing members of the MERWG (in the future), John Jostes suggested that perhaps the SAC would want to first see what the MERWG agrees to by consensus in their efforts to adopt groundrules.

Patty Wolf then withdrew her motion recommending that the SAC set a process now for the process of replacing a MERWG member. She commented that she would like to table this until the SAC can consider the groundrules the MERWG agrees to.

6. Presentation and Discussion: HARRY LIQUORNIK, President, Commercial Fishermen of Santa Barbara, Inc. – Sea Otter Zonal Management

Craig Fusaro introduced Mr. Harry Liquornik, President of Commercial Fishermen of Santa Barbara, Inc.

Harry began by showing a video taken near an underwater pipeline in the Point Conception/Coho area. The video asserts that commercial abalone divers are not responsible for abalone "strip mining" of abalone to near extinction. Commercial fishermen are strictly regulated. There are 101 abalone divers in the state. Sea otters have moved into the area near Point Conception, and may be ready to make the jump to the Channel Islands. Shown on the video was the pipeline area, thirteen months later than shown at the beginning of the video, now barren of the urchin and abalone life that was initially pictured. In 1986, Congress passed Public Law 99-625 which stated that no sea otters would be allowed to range south of Point Conception. The County of Santa Barbara endorsed this containment policy. The video calls on those in the resource management business to enforce this law.

After the video, Harry asked the SAC if they could write a letter of support. He feels that if the US Fish and Wildlife Service walks away from sea otter zonal management responsibilities, this will set a bad precedent for the agency and their relationship with fishermen.

Craig Fusaro suggested that the SAC invite USFWS back to talk to the Council, because they were not given adequate time to present the last time they came before the SAC.

Linda Krop expressed concerns about the SAC expressing positions on issues that may be covered in the management plan review. She commented that the SAC should be open to information that is going to come out of the EIS, and that the SAC will be asked to make recommendations on the management plan to the Sanctuary Manager. She also stated that it would be responsible of the SAC to continue to have these forums, but ultimately it would be inappropriate for the SAC to take positions until we go through the management plan process.

She also expressed concerns about the SAC taking positions on issues that are currently not within the Sanctuary's jurisdiction (e.g., the containment zone).

Drew Mayerson stated that it seemed a little premature to be writing a letter of support for the public law. He does not feel we have enough information at this time.

Mick Kronman stated that the sea otter issue, left unaddressed, will make moot the efforts of the marine reserves process. He posed the question: what is the point of establishing a marine reserve if the sea otter element of it isn't at least considered or addressed? He also asked Harry if Santa Barbara City has taken any positions on this. Harry replied that one of the handouts he provided shows a letter of support for the City Council.

Don Mooney from Friends of the Sea Otter urged the SAC to open up the issue to a broader public discussion, and consider inviting groups such as Friends of the Sea Otter and the Otter Project.

Steve Shimek from the Otter Project emphasized to the Council that the sea otter is also an important resource, and a national resource. He suggested that the SAC should further agendize this issue. He stated that the sea otter is in fact part of the solution as you work toward sustainable fisheries.

Dave Long asked why the US Fish and Wildlife Service has not enforced the law, and expressed his preference to hear a lot more from the agency. He stated that the SAC is not yet even close to getting the information needed to offer an opinion on the matter.

Jeff Aurbach stated that an issue of this level of importance and controversy should be agendized earlier if a vote, decision or position development is going to be called for.

Bruce Steele noted that he has been closely involved with this issue for 15 years, and has been very frustrated by it. His advice would be to "get outside this box" because this is such a polarized issue. We need to look at if there any other alternatives or solutions outside of this long debate where maybe there is room for shellfishermen in this state. We're getting nowhere and need to come up with something different.

Michael Finucan noted that he regularly sees sea otters around the Channel Islands, but not in large numbers. He feels that the SAC should hear presentations from all sides of the issue, and bring in the most comprehensive material available, before making any decisions.

Brian Baird commented that a thorough airing of the issue should take place, and that getting all the right people to come out is important.

Bruce Steele stated that he is working on a way to place a hard grid on the underwater pipeline to keep otters out of the space between pipes. He thinks it is possible, to some degree, to physically engineer our way out of this problem. In addressing the islands in the management plan, there are ramifications to the decisions made and actions taken if and when sea otters arrive. For example, if modification of the bottom is prohibited, then this could preclude the chance of shellfisheries operating there after otters arrive.

Patty Wolf also agreed that we should get more information the issue.

The Chair thanked Harry Liquornik for his presentation, and the public in attendance for their thoughtful comments.

7. Discussion of future meeting agenda dates and topics

Craig Fusaro recapped future meeting agenda ideas that came up today:

- Relative authority for managing the resources and human activities in the Sanctuary
- The need to hear something back from the MERWG on their groundrules before the SAC takes steps on how to allocate the authority for future membership in the group.
- A fuller exploration of the sea otter issue and gather more information

Linda Krop added the following item:

- Proposed subcommittee for the management plan

Linda Krop noted that previous

- vessel traffic/shipping lanes
- acoustic testing/sound, including the NRDC report on this topic.
- undersea cables

Linda added that it would be nice if agenda ideas could be run by the SAC first. Craig Fusaro replied that this is the best time to do that.

Craig Fusaro noted that there are too many proposed agenda topics to fit on one meeting agenda, so some prioritizing would be taking place. If you have input on the November SAC meeting agenda, please e-mail suggestions using the SAC list-serv by November 1.

Dianne Meester emphasized that we should review the relative authorities within the Sanctuary.

Mick Kronman suggested that the sea otter issue should be given lots of time on the agenda.

Matt Pickett commented that Ed Cassano's letter to the SAC explains that he is expecting to rotate out of the manager position in the Spring of 2000. As far as a replacement, there is no definitive plan at this time.

Concerning letters of support requesting that Ed be kept on, Brian Baird commented that the California Coastal Commission wrote a letter to the head of the NOAA Corps. The Secretary of Resources wrote a letter as well. Bruce Steele mentioned that he had already contacted the office of Lois Capps about this. Patty Wolf also mentioned that her agency was working on sending some letters.

The meeting was adjourned at 12:30 PM.

Meeting minutes respectfully submitted by:

Mike Murray
Advisory Council Coordinator
Channel Islands National Marine Sanctuary